

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **JAVIER ANTONIO FERNANDEZ LEON**CASE NO: **16-08050-ESL**

Debtor(s)

**Chapter 13**

**STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION**

Petition Filing Date: **10/06/2016**First Meeting Date: **11/10/2016 at 9:00AM**Days From Petition Date: **35**341 Meeting Date: **11/10/2016 at 9:00AM**910 Days Before Petition: **04/10/2014**Confirmation Hearing Date: **12/16/2016 at 11:00AM**Chapter 13 Plan Date: **10/12/2016** ☐ AmendedPlan Base: **\$15,600.00** Plan Docket # **9**

This is Debtor(s) 1 Bankruptcy petition.

This is the 1 scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:Total Paid In: **\$0.00**Check/MO# **MO 1241**Date: **11/2/2016** Amount: **\$ 260.00**\*APPEARANCES: ☐ Telephone ☐ Video ConferenceDebtor: ☒ Present ☐ Absent ☒ ID & Soc. OKJoint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK☒ Examined ☐ Not Examined under Oath☐ Examined ☐ Not Examined under OathAttorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): \_\_\_\_\_

☐ Pro-se☒ Creditor(s) Present☐ None

ASUME- Basabe

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO ARISTIDES FIGUEROA COLON\***Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$242.00** Outstanding (Through the Plan): **\$2,758.00**

\*TRUSTEE'S REPORT ON CONFIRMATION &amp; STATUS OF §341 MEETING

Debtor(s) Income is (are) ☒ Under ☐ Above Median IncomeLiquidation Value: **\$ 0.00**Commitment Period is ☒ 36 months ☐ 60 months §1325(b)(1)(B)Projected Disp. Inc.: **\$ n/a**The Trustee: ☐ NOT OBJECTS ☒ OBJECTS Plan Confirmation Gen. Uns. Approx. Dist.: \_\_\_\_ %

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☒ CLOSED ☐ HELD OPEN FOR \_\_\_\_ DAYS

§341 Meeting Rescheduled for:\_\_\_\_\_

Comments:

\*CREDITOR(S) ORAL OBJECTIONS [LBR 3015-2 (c)(4)]  
-No objections

\*TRUSTEE'S OBJECTIONS TO CONFIRMATION: NOTICE: LBR 3015-2(c)(6) The debtor must within seven (7) days after service of the objection file either: (A) an amended plan that addresses each objection; or (B) a reply setting forth the facts and legal arguments that give rise to the reply in sufficient detail to allow each objector, if possible, to reconsider and withdraw its objection.

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor has failed to submit value of the vehicle listed in Schedules B.

Debtor has failed to submit evidence of PAN income.

[1325(a)(1)] Self-employed Business Debtor - Failure to comply with her/his/their duties. [11 U.S.C.1302(b), 704(a)(2)-(7), and 704(a)(9)]

Debtor has failed to submit income and expense sheets for the 6 month period prior to the filing of the case. Debtor does not have a separate bank account for the business. (Kiosko de Frituras)  
- Business Questionnaire- not submitted  
-Mors or any other income evidence- not submitted.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to pay 100% of [507] priority claims.  
[1322(d)(1)]

Suggested minimum base \$15,800.00.

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with post-petition DSO payments.

On ASUME account Claim 2 - JENNIFER VEGA REYES, debtor must maintain current payments, ASUME representative stated debtor has complied post petition payments.

On claim 1 - ASUME-LOIDY MORERA DIAZ, debtor only will pay arrears since children reach legal age.

-Debtor must submit contact information of DSO claimant Loidy Morera Diaz (name, telephone and address).

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

Must submit additional PAN income for debtor and consensual spouse each receive \$112.00.  
- In schedules it was only included the amount received by consensual spouse.

Trustee

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/s/ Juliel Perez, Esq., Presiding Officer

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Last Docket Verified: 10 Last Claim Verified: 0